

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Nuclear Power Plant Cost  
Recovery Clause

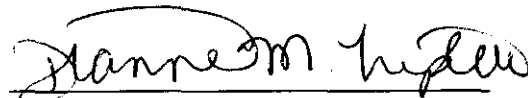
Docket No. 080009-EI

Submitted for Filing: August 7, 2008

**PROGRESS ENERGY FLORIDA, INC'S  
NOTICE OF FILING AFFIDAVIT IN SUPPORT OF PEF'S  
REQUEST FOR CONFIDENTIAL CLASSIFICATION REGARDING AUDIT  
REPORT NO. 08-087-02-01, DATA REQUESTS AND WORKPAPERS**

Progress Energy Florida, Inc. hereby gives notice of filing the unverified affidavit of Daniel L. Roderick in support of its Request for Confidential Classification Regarding Audit Report No. 08-087-02-01, Data Requests and Workpapers.

Respectfully submitted,



James Michael Walls  
Florida Bar No. 0706242  
Dianne M. Triplett  
Florida Bar No. 0872431  
CARLTON FIELDS, P.A.  
Post Office Box 3239  
Tampa, FL 33601-3239  
Telephone: (813) 223-7000  
Facsimile: (813) 229-4133

R. Alexander Glenn  
General Counsel  
PROGRESS ENERGY SERVICE  
COMPANY, LLC  
Post Office Box 14042  
St. Petersburg, FL 33733-4042  
Telephone: (727) 820-5587  
Facsimile: (727) 820-5519

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY a true and correct copy of the foregoing has been furnished to counsel and parties of record as indicated below via electronic service and U.S. Mail this 7<sup>th</sup> day of August, 2008.

  
Attorney

<p>Mr. Paul Lewis, Jr. Progress Energy Florida, Inc. 106 East College Avenue, Ste. 800 Tallahassee, FL 32301-7740 Phone: (850) 222-8738 Facsimile: (850) 222-9768 Email: <a href="mailto:paul.lewisjr@pgnmail.com">paul.lewisjr@pgnmail.com</a></p>	<p>Lisa Bennett Jennifer Brubaker Staff Attorney Florida Public Service Commission 2540 Shumard Oak Blvd Tallahassee 32399 Phone: (850) 413-6218 Facsimile: (850) 413-6184 Email: <a href="mailto:lbennett@psc.state.fl.us">lbennett@psc.state.fl.us</a> <a href="mailto:Jbrubake@psc.state.fl.us">Jbrubake@psc.state.fl.us</a></p>
<p>Stephen C. Burgess Associate Counsel Office of Public Counsel c/o The Florida Legislature 111 West Madison Street Room 812 Tallahassee, FL 32399-1400 Phone: (850) 488-9330 Email: <a href="mailto:burgess.steve@leg.state.fl.us">burgess.steve@leg.state.fl.us</a></p>	<p>R. Wade Litchfield John Butler Florida Power &amp; Light 700 Universe Boulevard Juno Beach, FL 33408-0420 Phone: (561) 691-7101 Facsimile: (561) 691-7135 Email: <a href="mailto:wade_litchfield@fpl.com">wade_litchfield@fpl.com</a> <a href="mailto:John_butler@fpl.com">John_butler@fpl.com</a></p>
<p>John W. McWhirter McWhirter Law Firm 400 North Tampa Street, Ste. 2450 Tampa, FL 33602 Phone: (813) 224-0866 Facsimile: (813) 221-1854 Email: <a href="mailto:jmcwhirter@mac-law.com">jmcwhirter@mac-law.com</a></p>	<p>James W. Brew Brickfield Burchette Ritts &amp; Stone, PC 1025 Thomas Jefferson St NW 8th FL West Tower Washington, DC 20007-5201 Phone: (202) 342-0800 Fax: (202) 342-0807 Email: <a href="mailto:jbrew@bbrslaw.com">jbrew@bbrslaw.com</a> -and-</p>
<p>Michael B. Twomey AARP Post Office Box 5256 Tallahassee, FL 32305 Phone: (850) 421-9530 Email: <a href="mailto:Miketwomey@talstar.com">Miketwomey@talstar.com</a></p>	<p>Karin S. Torain PCS Administration (USA), Inc. Suite 400 Skokie Blvd. Northbrook, IL 60062 Phone: (847) 849-4291 Email: <a href="mailto:KSTorain@potashcorp.com">KSTorain@potashcorp.com</a></p>

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Nuclear Power Plant  
Cost Recovery

Docket No: 080009

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Submitted for Filing: August 7, 2008

**AFFIDAVIT OF DANIEL L. RODERICK IN SUPPORT OF PROGRESS ENERGY  
FLORIDA'S REQUEST FOR CONFIDENTIAL CLASSIFICATION  
REGARDING AUDIT CONTROL NO. 08-087-21**

STATE OF FLORIDA

COUNTY OF CITRUS

BEFORE ME, the undersigned authority duly authorized to administer oaths, personally appeared Daniel L. Roderick, who being first duly sworn, on oath deposes and says that:

1. My name is Daniel L. Roderick. I am over the age of 18 years old and I have been authorized by Progress Energy Florida (hereinafter "PEF" or the "Company") to give this affidavit in the above-styled proceeding on PEF's behalf and in support of PEF's Request for Confidential Classification. The facts attested to in my affidavit are based upon my personal knowledge.

2. I am the Vice President of Nuclear Projects and Construction for PEF's nuclear plant. This department manages nuclear generation growth strategies.

3. As the Vice President of Nuclear Projects and Construction, I am responsible for all aspects of major projects and construction of nuclear generating assets in Florida, including the administration of PEF's contracts for the Crystal River 3 ("CR3") Uprate project and ongoing project analysis for the CR3 Uprate and Levy nuclear projects.

4. PEF is seeking confidential classification for portions of the documents produced

DOCUMENT NUMBER-DATE

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in response to portions of the final audit report and portions of the Staff's workpapers regarding land acquisition. A detailed description of the confidential information at issue is contained in confidential Exhibit A to PEF's First Request for Confidential Classification and is outlined in PEF's Justification Matrix that is attached to PEF's First Request for Confidential Classification as Exhibit C. PEF is requesting confidential classification of this information because public disclosure of the information in question would violate confidentiality agreements between PEF and its land sellers and would impair PEF's ability to contract for real estate on competitive and favorable terms.

5. The documents at issue contain the land acquisition costs for the Levy Nuclear sites. Both sites were purchased pursuant to contracts that contain confidentiality provisions. PEF negotiates with potential landowners to obtain competitive contracts for real property that provide economic value to PEF and its ratepayers. In order to obtain such contracts, however, PEF must be able to assure these landowners that sensitive business information, such as the quantity and pricing terms of their contracts, will be kept confidential. PEF has kept confidential and has not publicly disclosed the proprietary contract terms and provisions at issue here. Absent such measures, PEF would run the risk that sensitive business information regarding what it is willing to pay for real property would be made available to the public and, as a result, other potential sellers of real property could change their position in their negotiations with PEF for the future purchase of other real property. Without PEF's measures to maintain the confidentiality of sensitive terms in these real property purchase contracts, the Company's efforts to obtain competitive land contracts would be undermined. In addition, by the terms of these contracts, all parties, including PEF, have agreed to protect proprietary and confidential information, which is defined to include the price, from public disclosure.

6. Upon receipt of this confidential information, and with its own confidential information, strict procedures are established and followed to maintain the confidentiality of the terms of the documents and information provided, including restricting access to those persons who need the information to assist the Company, and restricting the number of, and access to the information and contracts. At no time since developing the information in question has the Company publicly disclosed that information. The Company has treated and continues to treat the information at issue as confidential.

7. This concludes my affidavit.

Further affiant sayeth not.

Dated the \_\_\_\_\_ day of August, 2008.

\_\_\_\_\_  
(Signature)

Daniel L. Roderick  
Vice President  
Nuclear Projects and Construction  
Crystal River Unit 3  
Crystal River Energy Complex  
Site Administration 2C  
15760 West Power Line Street  
Crystal River, Florida 34428

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this \_\_\_\_ day of August , 2008 by Daniel L. Roderick. He is personally known to me, or has produced his \_\_\_\_\_ driver's license, or his \_\_\_\_\_ as identification.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Printed Name)

NOTARY PUBLIC, STATE OF \_\_\_\_\_

\_\_\_\_\_  
(Commission Expiration Date)

\_\_\_\_\_  
(Serial Number, If Any)

(AFFIX NOTARIAL SEAL)